



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

## **NMFS ANNOUNCES A REQUEST FOR AN EXEMPTED FISHING PERMIT (EFP) TO USE PELAGIC LONGLINE (PLL) GEAR ON FISHING VESSELS IN THE CHARLESTON BUMP AND EAST FLORIDA COAST CLOSED AREAS**

Blue Water Fishermen's Association (applicant) has requested an EFP for approximately 13 fishing vessels to collect fisheries data in Federal waters of the Charleston Bump and East Florida Coast closed areas. The applicant is requesting to fish in the waters approximately 40 miles north of Fort Pierce, FL beginning at 28°N. Lat. and seaward of the axis of the Gulf Stream until 30°N. Lat.; then continuing north and east seaward of the 100 fathom contour to the northern boundary of the Charleston Bump closed area. The applicant states that these fishing activities may provide additional information on the efficacy of recent gear and bait restrictions on the pelagic longline (PLL) fishery, catch composition of target and bycatch species in closed areas, and would allow the U.S. PLL fleet to harvest more of its swordfish quota. If an EFP is issued, fishing activities would take place from the date of issuance through April 2008.

Under this application, target species would include swordfish, yellowfin tuna, albacore tuna, bigeye tuna, dolphin fish, pelagic and coastal sharks, and wahoo. All targeted catch (tunas, swordfish, and sharks) that can be legally landed would be harvested and sold by the vessel owners. Incidental catch of bluefin tuna would be landed consistent with existing regulations. Any mortalities of Atlantic Tunas Convention Act (ATCA) regulated species (*i.e.*, tuna and swordfish) and sharks would be counted against the appropriate quotas. Non-target species and protected resources (*e.g.*, billfish and sea turtles) would be tagged and released alive, if possible. All mortality and interactions with protected resources would be counted against the Incidental Take Statement (ITS) established by the 2004 Biological Opinion for the PLL fishery.

The applicant would be required to comply with all existing regulations regarding deployment of PLL gear, including: (1) use of 18/0 circle hooks (up to 10 degree offset) and squid or mackerel baits when targeting swordfish, (2) use of 16/0 circle hooks with squid or whole finfish bait when targeting tunas, and (3) possession and use of all mandatory equipment for safe handling and release of any protected species.

The applicant is proposing that all fishing activities be monitored by Federal fisheries observers to provide data on the longline gear configuration, target and incidental catch, and sea turtle interactions. National Marine Fisheries Service (NMFS) currently collects this information on selected PLL vessels via the PLL Observer Program (POP). NMFS would require that all data be submitted to the POP, as well as interim and annual reports to the Highly Migratory Species (HMS) Management Division, as required under the EFP program.

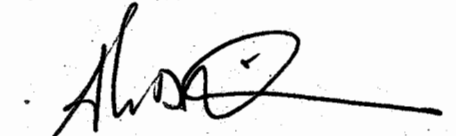
NMFS is requesting public comment on this application for an EFP because the fishing activities are proposed to occur in a closed area, specifically the East Florida Coast and Charleston Bump closed areas from commercial PLL vessels. In the annual notice of intent to issue HMS exempted fishing, scientific research, public display and chartering permits (November 27, 2006 (71 FR 68557)), NMFS stated that if it received an application to conduct fishing activities in a closed area from a non-NOAA vessel, the public would have the opportunity to comment on the issuance of an exempted fishing permit for such activities prior to NMFS making a determination. At this time, given the nearly rebuilt status of north Atlantic



swordfish and numerous management measures regulating target and bycatch species in the PLL fishery, NMFS is considering issuing the proposed EFP.

Comments must be received by April 11, 2007, and should be submitted to Michael Clark, Highly Migratory Species Management Division (F/SF1), Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments also may be sent via facsimile (FAX) to 301-713-1917 or by email at SF1.030107C@noaa.gov. Please include in the subject line of the email the following identifier: I.D.030107C.

This notice is a courtesy to individuals interested in Atlantic HMS fisheries and issues to keep you informed about your fishery. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information or a copy of the Notice published in the Federal Register concerning this activity, please contact Michael Clark at 301-713-2347.



Alan Risenhoover, Director  
Office of Sustainable Fisheries

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Date